

## What Could Cause Me To Lose My Driving Privileges?

If you do the following	This number of times within this time period	The result is
<ul style="list-style-type: none"> <li>◆ Fail an initial test, <b>or</b></li> <li>◆ Miss a rolling re-test</li> </ul>	Any two occurrences during a 30 day period	Lockout
Miss a monthly maintenance appointment	Anytime	Lockout
<ul style="list-style-type: none"> <li>◆ <b>Fail a rolling re-test, or</b></li> <li>◆ <b>Tamper with the device</b></li> </ul>	<b>Once during the entire time you have the device</b>	<b>Lockout and 10 year revocation</b>
Remove the device	Anytime during the period you are required to have the device	License suspension

If your device goes into a state of lockout, you will be given 48 hours to return to the vendor, who will upload the data and reset the device. If you do not return to the vendor within this time period, your vehicle will remain disabled and will need to be towed (at your expense) to the vendor.

If your device goes into lockout 2 times you may be in violation of your restricted license. A violation will result in a **10-year license revocation**.

If your device goes into lockout due to a **failed rolling re-test or because the device has been tampered with**, you may receive a **10-year license revocation. A second failed rolling re-test will result in a lifetime revocation.**

When you receive a violation (due to two lockouts) or a lockout due to a failed rolling re-test, you are required to meet with an RMV Hearings Officer (you will receive notice of your scheduled hearing). The Hearings Officer will make a determination on whether or not to revoke your license.

## RMV Hearings Officers

Hearings are held on a walk-in basis, unless your notice specifies a certain date, time, and place for your hearing.

If you desire a walk-in Ignition Interlock Device hearing, we strongly recommend you arrive prior to 4:00 pm.

Walk-in hearings hours are 8:30 am to 4:45 pm at the following locations:

## Full Time Hearings Locations

**(Monday through Friday, excluding holidays):**

Boston, Brockton, Lawrence, Springfield, and Worcester

**Part Time Hearings Locations (selected days):**

Beverly (Wed)	Pittsfield (Wed/Thurs)
Framingham (Tues/Wed)	Reading (Tues/Thurs)
Lowell (Mon/Wed/Fri)	South Yarmouth (Mon/Tues)
New Bedford (Wed)	Watertown (Mon/Tues)
North Attleboro (Mon/Tues/Thurs/Fri)	

Note: Hearings days or locations are subject to change without notice. If a hearing cannot be held for any reason at a particular location, the branch staff can direct you to the next nearest location for service.

## **Removal Of The Device**

If you use the Ignition Interlock Device for the required period of time and become eligible to operate a vehicle without the device, you must visit a Hearings Officer and obtain a letter stating that the device may be removed. You must then schedule an appointment with the vendor and bring the letter with you.

If your license is suspended due to Ignition Interlock Device violations, the device will be removed and you will not be allowed to operate a vehicle.

If you remove the device early, your license will be suspended. You can get your license back as soon as you have the device reinstalled (as long as your license is not suspended for any other reasons).

## Ignition Interlock Devices

## Melanie's Law

The Act Increasing Penalties For Drunk Drivers in the Commonwealth, also known as “Melanie’s Law,” went into effect on October 28, 2005. Its purpose, as suggested by its name, is to enhance the penalties and administrative sanctions for **Operating Under the Influence (OUI)** offenders in Massachusetts.

Melanie's Law requires that Ignition Interlock Devices be used both by drivers with a hardship license **and** by drivers whose licenses are eligible for reinstatement.

In conjunction with this new law, the Registry of Motor Vehicles (RMV) is also changing its policy regarding who is eligible for a hardship license. To be eligible for a hardship license, you must now be able to present proof that you do not have access by public transportation to your required destination.



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**Massachusetts  
Registry of Motor Vehicles**

January 2006

# What Is An Ignition Interlock Device?

An Ignition Interlock Device is a handheld breath-alcohol monitoring device (approximately the size of a cellphone) that is electronically connected to a vehicle’s ignition. Before starting your vehicle, the device requires you to take and pass a breath test. It also requires you to take re-tests while you are operating the vehicle.

# Who Needs An Ignition Interlock Device?

There are three possible scenarios in which you need to use an Ignition Interlock Device:

1. If you have 2 or more OUI convictions (for alcohol or controlled substances) and are **eligible for a hardship license**, you must use the device for the length of the hardship license. You must also use the device for an additional 2 years after your license is reinstated.
2. If you have 2 or more OUI convictions (for alcohol or controlled substances) and are **eligible for license reinstatement**, you must use the device for 2 years after your license is reinstated. This 2-year period is in addition to any time you may have used the device with a hardship license.
3. If a court orders you to use the device for any reason, you must use the device for the length of the court order.

The Ignition Interlock Device must be used in every registered vehicle that you **own, lease, or operate** (including your employer’s vehicle). A restriction will be added to your license making it illegal to operate a vehicle that is not equipped with a device.

If you do not have the device installed in your vehicle(s), you will not be eligible for a hardship license and you will not be allowed to have your license reinstated.

**Note:** Melanie’s Law **does apply** to out-of-state licensed drivers who are convicted of OUI in Massachusetts. If an Interlock Device is required, you cannot drive in Massachusetts without one. In order to reinstate your license or your right to operate in Massachusetts, you will need to meet the Massachusetts Ignition Interlock Device requirements.

# Operator’s Responsibilities

Upon being notified that you need an Ignition Interlock Device, you are responsible for all of the following:

- ◆ **Installation** - You must contact a vendor and schedule an installation.
- ◆ **Payment** - You must pay the vendor all of the required leasing and maintenance fees.
- ◆ **Maintenance visits** - You must return to the vendor within 30 days for your scheduled maintenance and data upload.
- ◆ **Proper usage** - You must follow all of the rules and guidelines you are given for using the device and you must never tamper with or try to circumvent the use of the device.

# Minimum Vehicle Requirements For Using An Ignition Interlock Device

In order for an Ignition Interlock Device to be installed, your vehicle must have a 12-volt electrical system and it must be in good running order. Check with an Ignition Interlock Device vendor for more details.

The Ignition Interlock Device will not be installed on motorcycles.

# How Do I Get An Ignition Interlock Device Installed In My Vehicle?

1. Visit an RMV Hearings Officer for an informational visit. The Hearings Officer will explain the criteria you must meet to get an Ignition Interlock Device.

At this meeting, the Hearings Officer will give you paperwork that you must complete. You will be required to sign a notarized affidavit declaring that you will drive only a vehicle with an Ignition Interlock Device. Also, all licensed drivers in your household will be required to sign notarized affidavits declaring that they will not allow you to drive a vehicle without an Ignition Interlock Device or help you bypass the device in any way.

2. Submit the completed paperwork to the Hearings Officer. If you meet the criteria, you will be approved for installation of the device.

**Do not have an Ignition Interlock Device installed before you have received approval from a Hearings Officer.**

3. **Call** an Ignition Interlock Device vendor who is certified with the state of Massachusetts (see the insert card that lists all of the vendor locations) to make an installation appointment. At your appointment, you will be required to present proof of identity. The vendor will install the device in your vehicle and will give you detailed instructions on how to use and maintain the device.

4. After the device has been installed, you must return to the Hearings Officer. The Hearings Officer will confirm the installation and will complete the license restriction process. A “**Z**” restriction will be added to your license.

# How Does The Device Work?

Once the device is installed, it must be used as follows:

1. Turn on the ignition and wait for the device to display instructions indicating that you need to take an initial breath test.
2. Blow into the device for a few seconds. If you pass the initial breath test, the device will display the word “pass” and your vehicle will start.

If you fail the test (blood alcohol concentration of **greater** than .02), the device will display the word “fail” and you will not be able to start your vehicle. You will then need to wait for your blood alcohol concentration to decrease before you take another test.

3. After the vehicle has started, you will be required to take rolling re-tests at random intervals while operating the vehicle. When it is time for a rolling re-test, the device will beep and you will have five minutes to take the test. You can take the rolling re-test while driving, but it is recommended that, if it is safe and legal to do so, you pull over to the side of the road (on some roads this is illegal). If you do not take the rolling re-test, or if you turn off the ignition before taking the rolling re-test, this will be considered a missed test.

Note: The device will never shut your engine off after it has been started.

The Ignition Interlock Device records all of your test results and all of your vehicle activity. Within 30 days, you will need to return to the vendor for a monthly maintenance visit (scheduled by the vendor). At this time, the vendor will upload the data from the device and transmit this data to the Registry of Motor Vehicles.